Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 917-06469-2645-145 | Date: 05/01/17 | Time: 2000

Location:	34855 Peterson Road	City or Station:	Agua Dulce
Bureau/Station/Facility:	North Patrol Division/ Palmdale Station	Admin. Investigation:	○ YES ◉ NO
Type of Force:	Personal Weapons/ Control Techniques		
Incident Category:	○1 ○2 ◉3	Deputy Injury: ○ YES ◉ NO	Suspect Injury ◉ YES ○ NO
☒ Call	☐ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: ◉YES ○ NO	Person Notified: Lt. Roberta Granek	Emp: [redacted]	IAB Roll Out ◉ YES ○ NO

Involved Employee

E1

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]		DSG

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	B	509	200	[redacted]	○ EM ○ Day ◉ PM	○ Regular Shift ◉ OT Shift ○ Off Duty

Unit of Assignment: Palmdale Station
Work Assignment (Unit #, Module, etc.): 266 /PM
Individual Force Used: Control techniques — ○ Directed ○ Rescue ○ Medical Assist
Individual Category: ◉1 ○2 ○3
☐ Injured ☐ Treated ☐ Admitted Facility:
Coroner Case #

E2

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	Borits-Root	Aaron		B1

Sex	Race	Height	Weight	Age	Shift	
◉ M ○ F	W	509	270	[redacted]	○ EM ○ Day ◉ PM	○ Regular Shift ◉ OT Shift ○ Off Duty

Unit of Assignment: Palmdale Station
Work Assignment (Unit #, Module, etc.): 266/ PM
Individual Force Used: Personal Weapons — ○ Directed ○ Rescue ○ Medical Assist
Individual Category: ○1 ○2 ◉3
☐ Injured ☐ Treated ☐ Admitted Facility:
Coroner Case #

E_

Employee #	Last Name	First Name	Middle I.	Rank

Sex	Race	Height	Weight	Age	Shift	
○ M ○ F					○ EM ○ Day ○ PM	○ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment:
Work Assignment (Unit #, Module, etc.):
Individual Force Used: — ○ Directed ○ Rescue ○ Medical Assist
Individual Category: ○1 ○2 ○3
☐ Injured ☐ Treated ☐ Admitted Facility:
Coroner Case #

On Duty Supervisor ☐ Additional Involved Employees

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Loera	Ruben		Sgt	YES ○ NO ◉	YES ○ NO ◉

Supervisor Completing Investigation

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Maxwell	Michael	L	Sgt	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp #	Last Name	First Name	Middle I.	Rank
[redacted]	Granek	Roberta		Lt

Watch Commander / Supervising Lieutenant's **Signature:** [signature] Date: 3/22/18 Copy Provided to Employee by: Emp #: [redacted]

Dennis M. Kneer
Unit Commander **(Print Name)** Unit Commander's **Signature**: Emp #: Date

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

917 - 06469 - 2645 - 145

Suspect Information

S 1

Last Name	First Name	Middle Name	Armed? Select
Arndt	Alexander		Not Armed

AKA Last Name	First Name	Middle Name

Sex	Race	Age	Height	Weight	D.O.B.	Phone #1 (C)	Phone #2
(●) Male ( ) Female	W	37	511	150	071079	[redacted]	[redacted]

Street Address	City	State & Zip Code
[redacted]	[redacted]	[redacted]

Booking #: 4976605 Primary Charge Code: 69 PC Secondary Charge Code: 241(c) PC ☐ Criminal History

Treated on Scene? (●) YES ( ) NO Name: Capt. Magallanes Unit: Engine 81 Phone #: 661-268-0638

Hospital Admission? ☐ Rec'd Treatment At: PRMC Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Dr. Reddy Address: 38600 Medical Center Drive Palmdale Phone #: 661-382-5000

Under Influence: (●) YES ( ) NO Substance: Hallucinogen 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Date: 050217 Time: 0315 ☐ Audiotape: ☒ Videotape: ☒ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name First Name Middle Name Armed? Select

AKA Last Name First Name Middle Name

Sex: ( ) Male ( ) Female Race: Age: Height: D.O.B. Weight: Phone #1: ( ) H ( ) W ( ) C Phone #2: ( ) H ( ) W ( ) C

Street Address: City: State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ( ) YES ( ) NO Substance: 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name First Name Middle Name Armed? Select

AKA Last Name First Name Middle Name

Sex: ( ) Male ( ) Female Race: Age: Height: D.O.B. Weight: Phone #1: ( ) H ( ) W ( ) C Phone #2: ( ) H ( ) W ( ) C

Street Address: City: State & Zip Code:

Booking #: Primary Charge Code: Secondary Charge Code: ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO By: Unit: Phone #:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐ User's guide provides direction on this entry

By: Address: Phone #:

Under Influence: ( ) YES ( ) NO Substance: 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Date: Time: ☐ Audiotape: ☐ Videotape: ☐ Photos of Injuries: ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

917 - 06469 - 2645 - 145

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Shreves	Jeffrey	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Palmdale Station	266A	○ EM ○ Day ◉ PM	○ Regular ◉ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	LeFebvre	Andrea	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Palmdale Station	266A	○ EM ○ Day ◉ PM	◉ Regular ○ OT ○ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		○ EM ○ Day ○ PM	○ Regular ○ OT ○ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
Magallanes	Tom		Adult	

Street Address	City	Zip Code	Phone #1	Phone #2
Los Angeles County Fire Department, Station 81	Agua Dulce	91350		

Last Name	First Name	Middle Name	Age	D.O.B.
Sparkman	Jim		Adult	

Street Address	City	Zip Code	Phone #1	Phone #2
Los Angeles County Fire Department, Station 81	Agua Dulce	91350		

Last Name	First Name	Middle Name	Age	D.O.B.
Tatone	Jon		Adult	

Street Address	City	Zip Code	Phone #1	Phone #2
Los Angeles County Fire Department, Station 81	Agua Dulce	91350		

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ Additional Witness

Supervisor's Report on Use of Force

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Arndt	S1	[redacted]	E1	RS	NN	AR
[redacted]	E1	Arndt	S1	CT	NN	AR
Boritis-Root	E2	"	"	PH	FR	FA

INVESTIGATIVE SUMMARY

SHERIFF'S DEPARTMENT
INVESTIGATIVE SUMMARY

INCIDENT: **Use of Force, Fractured Jaw, Fractured Orbital**

IAB FILE NUMBERS: **FO 2427172**

URN#: **917-02462-2608-145**

DATE/TIME: **May 1, 2017, 2000 hours**

LOCATION: **34855 Peterson Road, Agua Dulce**

SYNOPSIS

On May 1, 2017, at approximately 2000 hours, deputies from Palmdale Sheriff's Station responded to the Agua Dulce Movie Ranch, 34855 Peterson Road, Agua Dulce, regarding a possible critical missing person call, Tag-283 **(EXHIBIT A).** The narrative of the call indicated there was a hiker on the Pacific Crest Trail who appeared to be dehydrated and non-responsive.

Deputies Aaron Borits-Root and [redacted] Unit 266, were assigned the handle and Deputies Jeffery Shreves and Andrea LeFebvre, Unit 266A were assigned as the assisting unit. Los Angeles County Fire Department (LACFD), Engine 81, were also dispatched to the call and arrived shortly after the deputies. Engine 81 was staffed with Witnesses Fire Captain Tom Magallanes and Firefighters Jim Sparkman and Jon Tatone. Due to the rugged terrain, Deputies Borits-Root, [redacted] Shreves and LeFebvre exited their vehicles near a water tower and hiked in the direction where the suspect was last seen on the Pacific Crest Trail. Witness Magallanes along with Witnesses Sparkman and Tatone also hiked to the area where the suspect was last seen.

IAB Note: A portion of the Pacific Crest Trail borders the Agua Dulce Movie Ranch. The Agua Dulce Movie Ranch is a 348 acre filming site consisting of flat topography.

IAB Note: The portion of the Pacific Crest Trail which runs through the Agua Dulce Movie Ranch, is mountainous terrain. The trail is dirt and covered with rocks and shrubs on both sides, approximately three feet wide.

Suspect Alexander Arndt was located on a portion of the Pacific Crest Trail approximately one quarter of a mile from the water tower, lying on his back. Suspect Arndt was conscious and breathing; however, he was verbally unresponsive when spoken to. Witnesses Magallanes, Sparkman and Tatone began a medical assessment of the suspect. Suspect Arndt refused to answer medical related questions and mumbled incoherently. Suspect Arndt displayed outward objective signs of being under the influence of a controlled substance, elevated pulse, dilated and non-reactive pupils, and "odd behavior."

Witness Magallanes, Sparkman, and Tatone determined Suspect Arndt needed further medical treatment. Witness Tatone and Deputy [redacted] assisted Suspect Arndt to his feet. Witness Tatone stood on the left side of the suspect as Deputy [redacted] stood on his right. Witness Tatone placed his right arm around the suspect's waist area, and grabbed onto his belt. Witness Tatone grabbed the suspect's left wrist with his left hand. Deputy [redacted] held onto the suspect's right wrist with his left hand and assisted the suspect down the trail in an attempt to prevent the suspect from falling. Suspect Arndt cooperated and slowly walked down the hill.

Approximately half way down the hill, Suspect Arndt stopped walking and began violently jerking his body from side to side. Suspect Arndt broke free from Witness Tatone's grasp and swung his left arm toward Witness Tatone's face. Witness Tatone was able to step back and duck under Suspect Arndt's punch while Deputy [redacted] maintained control of the suspect's right arm. Suspect Arndt then swung his left arm toward Deputy [redacted] Deputy Borits-Root was approximately three to four feet behind Suspect Arndt at the time of his assault. Deputy Borits-Root stepped forward and punched the suspect one time on the left side of his face.

The force of Deputy Borits-Root's punch caused Suspect Arndt to fall to the ground. Deputy [redacted] maintained his hold of the suspect and fell to the ground with him. Deputy Borits-Root gave the suspect verbal commands to place his hands behind his back and placed him in handcuffs without further incident. Deputy Borits-Root immediately rolled the suspect onto his right side and checked his vital signs. Suspect Arndt was conscious, breathing, and spoke incoherently.

In order to avoid another force incident, Deputy Shreves placed a hobble restraint around Suspect Arndt's ankles. Suspect Arndt remained still and refused to respond to any questions or commands. Deputies Borits-Root, [redacted] Shreves and LeFebvre formulated a plan to carry Suspect Arndt down the trail. Deputy Borits-Root placed his arms under the suspect's left arm, Deputy [redacted] placed his arms under the suspect's right arm and Deputy Shreves grabbed the portion of the hobbled between the suspect's legs. Together, the deputies were able to lift and carry the suspect safely down the remainder of the trail. All reports documenting this incident were submitted as **(EXHIBIT B).**

At the bottom of the trail, Witnesses Magallanes, Sparkman, and Tatone monitored the suspect's medical condition until an ambulance arrived. Suspect Arndt was taken to Palmdale Regional Medical Center for booking clearance. While at Palmdale Regional Medical Center it was revealed, Suspect Arndt sustained a fractured left orbital and jaw. Suspect Arndt's medical records are included in this case **(EXHIBIT C).**

Palmdale Sergeant Theodore Knott, #[redacted] and Sergeant Ruben Loera, #[redacted] responded to the location and were notified of the use of force.

On May 2, 2017, an Internal Affairs Bureau (IAB) team comprised of Lieutenant Roberta Granek, Sergeant Michael Maxwell, and Sergeant [redacted] responded to Palmdale Station regarding the use of force; wherein, the suspect sustained a fractured orbital and fractured jaw. The following review is based on written documentation and interviews of witnesses, involved deputies, and the suspect.

INVOLVED EMPLOYEE AND WORK HISTORY

[redacted] Deputy Sheriff, #[redacted]
North Patrol Division
Palmdale Station

Work History

Date of Employment:	April 19, 2012
Date Assigned to Patrol/Palmdale Station:	April 5, 2015
Date Completed Patrol Training:	[redacted]
Prior founded force incidents:	

Equipment Worn On Person

Beretta 92FS 9mm pistol
Magazines
Oleoresin Capsicum (OC) Spray
Handcuffs
Radio
Expandable baton

INVOLVED EMPLOYEE AND WORK HISTORY

Aaron Borits-Root, Deputy Sheriff, #[redacted]
North Patrol Division
Palmdale Station

Work History

Date of Employment: August 15, 2007
Date Assigned to Patrol/Palmdale Station: February 3, 2013
Date Completed Patrol Training: [redacted]
Prior founded force incidents: [redacted]

Equipment Worn On Person

Smith & Wesson M&P 9mm pistol
Magazines
Oleoresin Capsicum (OC) Spray
Handcuffs
Radio
Expandable baton

SUSPECT INFORMATION

Alexander D. Arndt
Male, White, DOB: July 10, 1979, 5'11", 150 pounds
[redacted]
CII # [redacted] MAIN # [redacted] FBI # [redacted]

IAB Note: A copy of Suspect Arndt's criminal history is included in [EXHIBIT D].

SUSPECT'S INJURIES

Suspect Alexander Arndt was transported to Palmdale Regional Medical Center to be treated for his injuries. Suspect Arndt sustained a fractured jaw and a fractured orbital. Suspect Arndt was seen by the Emergency Department physician and given medical clearance for booking. See photographs submitted as **[EXHIBIT E]**.

DEPUTY PERSONNEL INJURIES

None

PHYSICAL EVIDENCE

None

INVESTIGATOR'S OBSERVATIONS

Six hours transpired from the use of force to IAB investigator's observations.

WEAPON USED BY DEPUTY [redacted]

Deputy [redacted] used control techniques.

WEAPON USED BY DEPUTY BORITS-ROOT

Deputy Borits-Root used personal weapons.

WEAPONS USED BY SUSPECT ALEXANDER ARNDT

Suspect Arndt used personal weapons.

PROPERTY DAMAGE BY SUSPECT

None.

CRIMINAL INVESTIGATOR AND CHARGES FILED

INVESTIGATOR: Palmdale Station Detective David Nisenoff #[redacted]

COURT: Antelope Valley Courthouse

CHARGES: 245 (C) PC, 69 PC

LIGHTING AND WEATHER CONDITIONS

The location was dark and weather conditions were cool and clear.

INVOLVED EMPLOYEE STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

INVOLVED EMPLOYEE DEPUTY [redacted]

On December 19, 2017, Deputy [redacted] was interviewed by Internal Affairs Bureau investigators.

On May 1, 2017, Deputy [redacted] was assigned to Palmdale Station on PM shift assigned as Unit 266, a two person unit, with Deputy Aaron Borits-Root. Deputy [redacted] was assigned to a uniformed position, patrolling in marked patrol vehicle. Deputies [redacted] and Borits-Root received a call for service at the Agua Dulce Movie Ranch, 34855 Peterson Road, Agua Dulce, regarding a lost or missing hiker. The call indicated there was a hiker on the Pacific Crest Trail who appeared to be dehydrated and non-responsive.

Deputy [redacted] said he coordinated the call for service with his assisting unit, 266A, Deputies Shreves and LeFebvre. Deputy [redacted] said they waited for the fire department to arrive and began hiking up the mountainous terrain to locate the victim. Deputy [redacted] described the terrain as having loose gravel, sand, dirt, shrubs and bushes. Deputy [redacted] said the trail was only wide enough to accommodate two people. Deputy [redacted] said at the onset of their hike to locate the victim it was dusk and flashlights were not yet needed.

Approximately seven minutes into their hike, Suspect Arndt was located. Deputy [redacted] said Suspect Arndt was laying on his back across the trail and mumbled incoherent words. Deputy [redacted] said the fire department assessed the suspect and determined he was in need of additional medical treatment. Deputy [redacted] said he believed the suspect was under the influence of a controlled substance based on his mannerisms, unwillingness to answer questions, and his lack of location awareness. Deputy [redacted] did not have any indication Suspect Arndt would be violent **(TRANSCRIBED INTERVIEW, DEPUTY [redacted] PAGES 1-6).**

Deputy [redacted] said he assisted the suspect to his feet along with help from fire department personnel. Based on the terrain, it was determined that the best way to get the suspect down the trail was to assist him in walking down. Deputy [redacted] said he was escorting the suspect down the trail when the suspect tensed up and turned toward his left where the firefighter was standing. Suspect Arndt made a fist with his right hand and attempted to pull away from Deputy [redacted] grasp. Deputy [redacted] said he decided to perform a takedown of the suspect by placing his left hand under the suspect's right bicep and his right hand on his forearm. Deputy [redacted] said he then leaned forward using his body weight to pull the suspect to the ground as Deputy Borits-Root punched the suspect one time in the face. Deputy [redacted] did not see Suspect Arndt assault Witness Tatone.

Deputy [redacted] said he and the suspect fell to the ground. Suspect Arndt fell face forward as Deputy [redacted] held onto his right arm. Once on the ground, Deputy [redacted] said his partner, Deputy Borits-Root, handcuffed the suspect without incident. Deputy [redacted] said the suspect was then hobbled by Deputy Shreves, who had been standing behind Deputy Borits-Root with his partner Deputy LeFebvre. Deputy [redacted] said Suspect Arndt did not resist the application of the hobble.

Deputies [redacted] Borits-Root and Shreves, picked the suspect up and carried him down the remainder of the trail where he was immediately treated by the on scene firefighters. Suspect Arndt was then transported to Palmdale Regional Medical Center for additional medical treatment **(TRANSCRIBED INTERVIEW, PAGES 6-10).**

INVOLVED EMPLOYEE DEPUTY AARON BORITS-ROOT

On December 19, 2017, Deputy Borits-Root was interviewed by Internal Affairs Bureau investigators.

On May 1, 2017, Deputy Borits-Root was assigned to Palmdale Station on PM shift assigned as Unit 266, a two person unit, with Deputy [redacted] Deputy Borits-Root was assigned to a uniformed position, patrolling in marked patrol vehicle. Deputies Borits-Root and [redacted] received a call for service at the Agua Dulce Movie Ranch, 34855 Peterson Road, Agua Dulce, regarding a lost or missing hiker. The call indicated there was a hiker on the Pacific Crest Trail who appeared to be dehydrated and non-responsive.

Deputy Borits-Root said the call for service was a priority call and Deputies Shreves and Lefebvre, Unit 266A, also responded. Once at the location, Deputy Borits-Root said the call was coordinated in person and a tactical plan was made. Due to the terrain, Deputies Borits-Root, [redacted] Shreves and LeFebvre along with members from LA County Fire Engine 81, hiked to the location where Suspect Arndt was last seen.

Deputy Borits-Root described the area as the Pacific Crest Trail, a popular hiking trail. At the onset of their hike, flashlights were not needed. Deputy Borits-Root said Suspect Arndt was located approximately a quarter mile away from their patrol cars, lying on his back on the trail.

Deputy Borits-Root described the suspect as disheveled, his clothes were tattered and worn, and it appeared he had been on the trail for an extended period of time. Suspect Arndt was mumbling incoherent nonsensical words, conscious and breathing, but non-responsive to general questions. Suspect Arndt was assessed by members of the LA County Fire Department, who determined further medical treatment was necessary. Based off of his initial interaction with Suspect Arndt, Deputy Borits-Root believed him to be calm and cooperative and had no indication he, Suspect Arndt, would be violent **(TRANSCRIBED INTERVIEW, DEPUTY BORITS-ROOT, PAGES 1-6).**

Suspect Arndt was able to stand up with the assistance of Witness Tatone, holding on to his left arm, and Deputy [redacted] holding on to his right arm. Deputy Borits-Root said the suspect was wobbly and unsteady. Approximately half way down the trail, Suspect Arndt stopped walking and planted his feet. Suspect Arndt pulled free from Witness Tatone's grasp and swung his left fist at him. Witness Tatone was able to duck underneath the punched and avoided being struck. Deputy Borits-Root said Suspect Arndt attempted to pull away from Deputy [redacted] and swung his left fist backward toward Deputy [redacted]

Deputy Borits-Root said he was approximately four feet behind Suspect Arndt and slightly uphill when he saw Suspect Arndt attempt to strike Deputy [redacted] Deputy Borits-Root said he stepped forward and punched the suspect one time with his right fist on the left side of the suspect's face. The suspect immediately fell to the ground and Deputy Borits-Root handcuffed him without incident.

Deputy Borits-Root said the suspect's actions were very sudden and he became assaultive "at a moment's notice." Deputy Borits-Root did not have an opportunity to de-escalate the situation or give the suspect verbal commands. Deputy Borits-Root said he rolled the suspect to his left side and checked his vital signs. Deputy Borits-Root asked the suspect to stand up, which he refused to do. Deputy Shreves applied the hobble around the suspect's legs. Deputy Borits-Root grabbed Suspect Arndt under his left arm, Deputy [redacted] grabbed Suspect Arndt under his right arm, and Deputy Shreves grabbed the portion of the hobble between Suspect Arndt's legs. Together, Deputies [redacted] Borits-Root and Shreves, picked the suspect up and carried him down the remainder of the trail where he was treated by the on scene firefighters. Suspect Arndt

was transported to Palmdale Regional Medical Center for additional medical treatment **(TRANSCRIBED INTERVIEW, DEPUTY BORITS-ROOT, PAGES 6-10).**

WITNESS STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

WITNESS EMPLOYEE DEPUTY JEFFERY SHREVES

On January 8, 2018, Deputy Shreves was interviewed by Internal Affairs Bureau investigators.

On May 1, 2017, Deputy Shreves was assigned to Palmdale Station on PM shift assigned as Unit 266A, a two person unit working with Deputy LeFebvre. Deputy Shreves was assigned to a uniformed position, patrolling in marked patrol vehicle. Deputies Shreves and LeFebvre were assigned as an assisting unit, and responded to the Agua Dulce Movie Ranch regarding a lost or missing hiker. The call indicated there was a hiker on the Pacific Crest Trail who appeared to be dehydrated and non-responsive.

Deputy Shreves said they parked on the north east corner of the Agua Dulce Movie Ranch which was the closest they could get to the suspect from their patrol vehicle. Deputies Shreves, LeFebvre, Borits-Root, [redacted] and Witnesses Magallanes, Sparkman and Tatone began hiking toward the area where the suspect was last seen. Deputy Shreves estimated the distance to be a couple hundred yards.

Deputy Shreves said the suspect was located lying partially on the trail and partially off the side of the mountain. Deputy Shreves said the suspect's legs and lower body were laying off the trail in the bushes. The suspect's upper body was on the trail. The suspect was on his back with his arms spread out to his sides. Deputy Shreves said the suspect was talking in "gibberish" and gave nonsensical answers to questions being ask of him by the fire department. It was determined Suspect Arndt was in need of further medical treatment, based on his altered mental condition **(TRANSCRIBED INTERVIEW, DEPUTY SHREVES, PAGES 1-6).**

The suspect was assisted to his feet with Deputy [redacted] standing on the suspect's right side, and one of the firefighters standing on the suspect's left side. Suspect Arndt began walking down the trail under his own power. About 30 yards down the trail, Suspect Arndt suddenly stopped, planted his feet and jerked his body from side to side. Suspect Arndt broke free from the firefighter's grasp and swung his fist at him. The firefighter ducked under the punch as the suspect attempted to strike Deputy [redacted] Deputy Shreves saw Deputy Borits-Root step forward and punch the suspect one time. The suspect immediately fell to the ground and was handcuffed by Deputy Borits-Root.

Deputy Shreves said the suspect refused to stand up, however, he was not resisting. Deputy Shreves said he placed his hobble around the suspect's feet. Together, Deputies [redacted] Borits-Root and Shreves, picked the suspect up and carried him down the remainder of the trail where he was immediately treated by the on scene firefighters. Suspect Arndt was then transported to Palmdale Regional Medical Center for additional medical treatment **(TRANSCRIBED INTERVIEW, DEPUTY SHREVES, PAGES 6-10).**

WITNESS EMPLOYEE DEPUTY ANDREA LEFEBVRE

On January 23, 2018, Deputy LeFebvre was interviewed by Internal Affairs Bureau investigators.

On May 1, 2017, Deputy LeFebvre was assigned to Palmdale Station on PM shift assigned as Unit 266A, a two person unit working with Deputy Shreves. Deputy LeFebvre was assigned to a uniformed position, patrolling in marked patrol vehicle. Deputies LeFebvre and Shreves were assigned as an assisting unit, and responded to the Agua Dulce Movie Ranch regarding a lost or missing hiker. The call indicated there was a hiker on the Pacific Crest Trail who appeared to be dehydrated and non-responsive.

Deputy LeFebvre said they parked on the north east corner of the Agua Dulce Movie Ranch which was the closest they could get to the suspect from their patrol vehicle. Deputies LeFebvre, Shreves, Borits-Root, [redacted] and members of the Los Angeles County Fire Department began hiking toward the area where the suspect was last seen **(TRANSCRIBED INTERVIEW, WITNESS LEFEBVRE, PAGES 1-4).**

Deputy LeFebvre said the suspect was located on the Pacific Crest Trail, lying on his back in the bushes, approximately one quarter to one half mile from where they parked. The suspect refused to answer the medical assessment questions being asked by Witnesses Magallanes, Sparkman and Tatone. Deputy LeFebvre said the suspect was mumbling unintelligibly and refused to sit or stand when asked. Deputy LeFebvre said it was determined the suspect needed further medical treatment.

Suspect Arndt was assisted to his feet by Deputy [redacted] and a firefighter. Deputy LeFebvre walked approximately five to ten feet behind the suspect as he was escorted down the trail. Half way down the trail, Suspect Arndt pulled his left arm away from the firefighter and swung his left fist toward him. Deputy Lefebvre saw Deputy Borits-Root punch the suspect one time in the face. Supect Arndt fell to the ground and was handcuffed by Deputy Borits-Root.

Once Suspect Arndt was handcuffed, Deputy Shreves placed a hobble around his legs. Deputies Borits-Root, [redacted] and Shreves, picked the suspect up and carried him down the remainder of the trail where he was immediately treated by the on scene firefighters. Suspect Arndt was then transported to Palmdale Regional Medical Center

for additional medical treatment **(TRANSCRIBED INTERVIEW, WITNESS LEFEBVRE, PAGES 4-8).**

WITNESS TOM MAGALLANES

On May 2, 2017, Los Angeles County Fire Captain, Tom Magallanes was interviewed by Internal Affairs Bureau investigators.

Witness Magallanes was assigned to Los Angeles County Fire Station 81, as the Captain on the date of this incident. Witness Magallanes said he responded to a call of a missing hiker. While responding to the location, he was notified that deputies were on scene with the suspect. Witness Magallanes said they responded to the area of Mint Canyon and Peterson Road on the Pacific Crest Trail. In order to reach the suspect, Witness Magallanes had to enter the Agua Dulce Movie Ranch and hike approximately one quarter mile to render aide. The suspect was located on the Pacific Crest Trail **(TRANSCRIBED INTERVIEW PAGE 1).**

Witness Magallanes said the suspect was lying on his back and had a blank stare. The suspect was not responding to any verbal commands. Witness Magallanes said the suspect appeared to have an altered level of consciousness as he was not answering basic assessment questions. Witness Magallanes thought the suspect may have been under the influence of drugs based on his initial assessment. Witness Magallanes eventually got the suspect to sit up and he was assisted to his feet by Witness Tatone **(TRANSCRIBED INTERVIEW PAGE 1).**

Witness Magallanes said his engineer, Witness Tatone held onto the suspect by his left wrist and a deputy held onto the suspect's right wrist. Witness Magallanes said the suspect was assisted off the trail and down the hill side. Witness Magallanes said the suspect turned and looked at Witness Tatone with a "mad look". The suspect pulled away from Witness Tatone and swung at him. Witness Magallanes said Witness Tatone ducked as a deputy came from behind the suspect, and punched him one time on the left side of his face. Deputies and the suspect went to the ground and the suspect was handcuffed. Witness Magallanes said deputies tied the suspect's ankles together and he was carried off of the trail by three deputies, one under each arm and one deputy carrying the suspect's legs **(TRANSCRIBED INTERVIEW PAGE 2).**

Witness Magallanes said he had no indication the suspect would be violent and unexpectedly swung at Witness Tatone. Witness Magallanes said he heard deputies give the suspect verbal commands to comply during the handcuffing process. Witness Magallanes examined the suspect after the incident and noticed swelling below the left eye and upper jaw on the left side **(TRANSCRIBED INTERVIEW PAGES 3-4).**

WITNESS JON TATONE

On May 2, 2017, Los Angeles County Firefighter, Jon Tatone was interviewed by Internal Affairs Bureau investigators.

Witness Tatone was assigned to Los Angeles County Fire Station 81 on the date of this incident. Witness Tatone responded to the Agua Dulce Movie Ranch regarding a lost hiker. Witness Tatone said he contacted the suspect who was lying on the ground. Witness Tatone told the suspect they needed to get him down the hill to an ambulance. Witness Tatone asked the suspect if it was okay to help him, took his arm and helped him stand up. Witness Tatone stood on the suspect's left side. He had his right hand on the suspect's belt and his left hand holding the suspect's left wrist. Halfway down the hill, the suspect suddenly "snapped," ripped his left hand away and took a swing at his (Witness Tatone's) head **(TRANSCRIBED INTERVIEW PAGES 1-2).**

Witness Tatone said he was able to duck down, avoiding the punch, and took a couple of steps away. Witness Tatone said he turned back and saw the suspect on the ground being handcuffed by deputies. Witness Tatone said the suspect was compliant while he was handcuffed. Witness Tatone said he did not witness any of the deputies actions. Witness Tatone said the suspect gave him no indication he would be violent and did not appear to be agitated **(TRANSCRIBED INTERVIEW PAGES 1-2).**

<u>WITNESS JIM SPARKMAN</u>

On May 2, 2017, Los Angeles County Firefighter, Jim Sparkman was interviewed by Internal Affairs Bureau investigators.

Witness Sparkman was assigned to Los Angeles County Fire Station 81 on the date of this incident. Witness Sparkman responded to the Agua Dulce Movie Ranch regarding a lost hiker. Witness Sparkman said he made contact with the suspect on a portion of the Pacific Crest Trail. The suspect was laying on the path, arms extended, and his legs off the trail in the bushes. Witness Sparkman said the suspect had minor scratches and did not appear to be a hiker. Witness Sparkman did an assessment of the suspect and formed the opinion he was "altered". The suspect was helped to his feet and assisted down the hill. Witness Sparkman said he was 20 to 30 feet in front of the suspect and did not assist the suspect down the hill **(TRANSCRIBED INTERVIEW PAGE 1).**

Witness Sparkman heard a commotion, looked back, and saw the suspect had broken free from Witness Tatone's grasp and his arm was flailing about. Witness Sparkman could not determine if the suspect was "drawing back" or "just kind of swatting" with his free hand. Witness Sparkman saw a deputy come over the top of the suspect and hit him one time. Witness Sparkman said the deputy who punched the suspect was uphill from the suspect. After being hit, the suspect fell to the ground and was restrained with handcuffs. The suspect was then hobbled and carried down the hill **(TRANSCRIBED INTERVIEW PAGES 1-2).**

Witness Sparkman believed the suspect's "altered" condition was the result of his being under the influence of a stimulant. Witness Sparkman based this on Suspect Arndt's elevated heart rate and dilated pupils which were non-reactive. Witness Sparkman said he heard deputies give the suspect verbal commands to stop fighting and put his hands behind his back **(TRANSCRIBED INTERVIEW PAGE 2).**

SUSPECT ALEXANDER ARNDT

Suspect Arndt was interviewed by Internal Affair Bureau investigators, on May 2, 2017, at approximately 0519 hours. Suspect Arndt declined to answer any questions and requested an attorney. The interview was video recorded and submitted as **(EXHIBIT F).**

IAB investigators spoke with Dr. Naveen Reddy, who treated Suspect Arndt at Palmdale Regional Medical Center. Dr. Reddy told investigators, Suspect Arndt's injuries were consistent with the use of force reported by deputy personnel.

ADDITIONAL INFORMATION

On February 5, 2018, Suspect Arndt plead Nolo Contendere to one count of 69 P.C. Suspect Arndt's next court date is August 6, 2018, for sentencing.